

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CITIZENS FOR COMMUNITY VALUES, INC., :

Plaintiff, :

vs. :

UPPER ARLINGTON PUBLIC LIBRARY
BOARD OF TRUSTEES, :

Defendant. :

Case No. 2:08-cv-00223-GCS-NMK

Judge George C. Smith

Magistrate Judge Norah McCann King

**DECLARATION OF MICHELE L. SCHMIDT IN SUPPORT OF
PLAINTIFF'S MOTION FOR ATTORNEYS FEES AND NON-TAXABLE COSTS**

Pursuant to 28 U.S.C. § 1746, I, Michele L. Schmidt, state as follows:

1. The matters declared herein are based upon my own personal knowledge.
2. I am a Certified Paralegal with the Alliance Defense Fund, a non-profit public interest law firm. My firm represents Plaintiff in the above-captioned matter.
3. This declaration is filed to demonstrate the reasonableness of the total number of hours I incurred on behalf of Plaintiff in this matter.
4. My participation in the case included drafting, editing, and cite-checking pleadings, motions, and other litigation-related documents, as well as a variety of administrative duties.
5. As reflected on the attached timesheet, I personally spent a total of 50 hours in furtherance of the excellent results obtained in this litigation on behalf of our client. My timesheet is based on contemporaneous records that I kept as I worked on each task. However, after reviewing my timesheet and coordinating with counsel as part of my firm's regular

practice of exercising billing judgment (to attempt to ensure that we eliminate administrative tasks, excessive research or drafting, or duplicative work from our fee requests) I have divided my time into paralegal work and clerical work, and have omitted from my timesheet 19.6 hours of clerical work. In exercising billing judgment, I have also reduced my paralegal time by 5.1 hours to eliminate excessive and duplicative work, reducing the total number of hours for which my firm seeks compensation to 25.30 hours. These omissions are reflected in the "Non-Billable Hours" column in my itemized time statement, attached hereto as Exhibit A.

6. When multiplied by my hourly rate of \$75.00, the total amount of fees for which I personally seek recovery is \$3,750.00.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 26th day of September, 2008.



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CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2008, I electronically submitted the foregoing document with the Clerk of Court using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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